

alcohol recovery facilities, parolee rehabilitation services, emergency shelters and kitchens.

- (ii) **Primary Health Care:** Drop-in medical service facilities, including clinics, counseling and referral services to persons afflicted with bodily or mental disease or physical injury, and to persons suffering from alcohol and drug abuse without provision for on-site residence or confinement.
- (jj) **Residential Care:** Twenty-four (24) hour nonmedical care for adults and/or children in need of personal services, supervision, protection, or assistance essential to sustaining the activities of daily living, and facilities receiving any form of government funding or subsidy for that purpose. As a land use classification, this excludes housing for the elderly, handicapped, and nursing and convalescent homes.
- (kk) **Utilities:** Electric distribution, gas regulating, and communication stations which do not involving aerial transmissions, which serve the immediate area provided all equipment is located within a single building. As a land use classification, this also includes facilities or infrastructure for cellular transmitting facilities subject to special standards and procedures, and all applicable provisions of the Municipal Code.
- (ll) **Vehicle/Equipment Sales and Rentals:** Sale and rental of automobiles, trucks, recreational vehicles, motorcycles, auto parts, construction equipment and similar equipment, including storage of usable (operative) vehicles, and related incidental maintenance.
- (mm) **Vehicle/Equipment Repair:** Repair of automobiles, trucks, recreational vehicles, motorcycles, including the sale, installation and servicing of related equipment and parts. As a land use classification, this includes auto repair shops, wheel and brake shops, tire sales and installation, tire retreading or recapping, metal recycling, body and fender shops, and similar uses, but excludes vehicle dismantling, salvage and storage of inoperative vehicles.
- (nn) **Automobile Painting, Washing and Detailing:** Painting, washing, waxing, or cleaning of automobiles or similar light vehicles.
- (oo) **Automobile Service Stations:** Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and customary accessory uses. This classification includes incidental maintenance and repair of automobiles and light trucks but excludes body and fender work or repair of heavy trucks or vehicles.

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- (pp) Manufacturing: Establishments engaged in the manufacturing, fabricating, assembly, treatment, servicing, packaging, processing, and handling of finished products and product parts primarily from previously prepared materials. Manufacturing does not include establishments engaged in chrome plating of materials.
- (qq) Maintenance Repair and Service Facilities: Establishments engaged in servicing or repairing industry machines and equipment, carpentry, welding and metal forming shops, print shops, laundry and dry cleaning plants, and other similar facilities. As a land use classification, this excludes vehicle dismantling, salvage and wrecking of automobiles and of other similar light vehicles, processing of scrap metals, junk yards and storage of salvaged materials, and similar uses. Maintenance Repair and Service Facilities does not include establishments engaged in chrome plating of materials.
- (rr) Marine Oriented/Waterfront Dependent Uses: Manufacturing, distributing and processing of parts and equipment, and the provision of services related to marine and waterfront uses, and other supporting uses including U.S. Navy presence, research, shipping, fishing, water recreation and tourism. As a land use classification, this includes facilities that need access to the waterfront, as well as uses dependent upon servicing waterfront oriented activities. Examples include boat building, sales and related maintenance, shipping and brokerage facilities and services, marine parts sales, installation and services, marine carpentry and woodworking, sail making and repair, and cargo freight services.
- (ss) Wholesale, Storage and Distribution: Establishments primarily engaged in wholesaling, storage and bulk sales distribution including open air handling of materials and equipment. Typical uses include wholesale distributors, moving and storage firms, storage of ambulant vendor vehicles (such as those used to sell ice cream products), wholesale showrooms, storage warehouses, and similar uses, but excludes storage of inoperative vehicles and of flammable or hazardous materials not associated with the industrial services operating on the premises.
- (tt) Research and Development Facilities: Establishments primarily engaged in industrial or scientific research including limited product testing. As a land use classification, this includes but is not limited to pharmaceutical research laboratories, electron and biochemical research firms, including administrative offices and accessory use buildings commonly used in conjunction with research and development activities on the premises.
- (uu) Transportation Facilities and Related Storage: Rights-of-way facilities for

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loading, unloading, and transferring passengers, baggage, and freight transfers among different modes of transportation. As a land use classification, this includes bus terminals, shipping terminals, railroads, storage yards for buses, trolleys, and railroad cars, and related maintenance and service facilities.

- (vv) Surface Parking: Surface parking lots offering short-term or long-term parking to the public for a fee.
- (ww) Parking Structures: Freestanding parking garages or structures open to the public for a fee or off-site parking structures associated with a specific building or business.

(Amended 12-9-2002 by Emergency Ordinance O-19133 N.S.)

§103.0903 Boundaries of Planned District Area

The regulations contained in this Division shall apply in all subdistricts of the Barrio Logan Planned District. The boundaries of the Barrio Logan Planned District in The City of San Diego, California, and its various subdistricts as amended are designated on Map Drawing No. C-840, on file in the office of the City Clerk as Document No. OO-17746 and contained in this Division as Figure 1. The Barrio Logan Planned District is generally bounded by Commercial Street on the north, Interstate 5 on the east, Division Street on the south, and the Mean High Tide Line (Port District) on the west.

(Amended 4-7-1998 by O-18477 N.S.; effective 1-1-2000.)

§103.0904 Administrative Regulations

- (a) Where not otherwise specified in this Division, the following chapters of the Land Development Code apply:

Chapter 11 (Land Development Procedures);
 Chapter 12 (Land Development Reviews);
 Chapter 13 (Zones);
 Chapter 14, Article 1 (Separately Regulated Use Regulations);
 Chapter 14, Article 2, Division 1 (Grading Regulations);
 Chapter 14, Article 2, Division 2 (Drainage Regulations);
 Chapter 14, Article 2, Division 3 (Fence Regulations);
 Chapter 14, Article 2, Division 4 (Landscape Regulations);
 Chapter 14, Article 2, Division 5 (Parking Regulations);
 Chapter 14, Article 2, Division 6 (Public Facility Regulations);
 Chapter 14, Article 2, Division 8 (Refuse and Recyclable Materials Storage Regulations);

Chapter 14, Article 2, Division 12 (Sign Regulations);
Chapter 14, Article 3 (Supplemental Development Regulations);
Chapter 14, Article 4 (Subdivision Regulations);
Chapter 14, Article 5 (Building Regulations);
Chapter 14, Article 6 (Electrical Regulations); and
Chapter 14, Article 7 (Plumbing and Mechanical Regulations)

Where there is a conflict between the Land Development Code and this division, this division shall apply. Where there is a conflict between the provisions of this Division and the goals and objectives of the Barrio Logan Redevelopment Plan (Ordinance No. O-17644 (New Series)), the provisions of the Redevelopment Plan shall apply.

- (b) Any use, except for those uses permitted in this Division which existed on March 2, 1992, shall be considered a non-conforming previously conforming use. Land Development Code Chapter 12, Article 7, Division 1 (General Review Procedures for Previously Conforming Premises and Uses) shall apply except that expansion or enlargement of previously conforming uses is not permitted.
- (c) Prior to any change in business use, an applicant shall obtain a Zoning Use Certificate pursuant to Land Development Code Chapter 12, Article 3, Division 3 (Zoning Use Certificate Procedures).
- (d) Should an applicant wish to move a building from one location to another, the applicant shall first obtain a Neighborhood Development Permit pursuant to Land Development Code Section 143.0302.
- (e) All City projects, government subsidized projects, public facilities, structures and improvements, and redevelopment projects, shall conform to the purpose

and intent of this Division and shall be subject to the same regulations, conditions and standards established in this Division.

(Amended 4-7-1998 by O-18477 N.S.; effective 1-1-2000.)

§103.0905 Exceptions

- (a) The amendments herein shall not apply to any project for which a building permit has been obtained or for which a complete application has been received and accepted by the City prior to March 2, 1992. Amendments to approved permits shall be subject to the provision of this Division.

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- (b) Unless the work would expand a previously conforming use, approval by the City Manager is not required for interior modifications, repairs or alterations for which a building permit is not required as of March 2, 1992.
- (c) A Hearing Officer may approve, conditionally approve or deny, in accordance with Process Three, any or all of the following exceptions listed in Section 103.0905(c)(1) through (c)(6) to certain Redevelopment Subdistrict regulations provided such exception(s) would serve to carry out the purpose and intent of the Redevelopment Subdistrict. These exceptions shall be limited to the area within the Redevelopment Subdistrict bounded by Harbor Drive, the Coronado Bay Bridge rights-of-way and the Barrio Logan Redevelopment Project Area boundaries, and shall apply only if this portion of the Redevelopment Subdistrict continues to be used for marine oriented industries, and port related transportation uses. The exceptions are:
 - (1) Section 103.0907 (Outdoor display, Operation and Storage) shall only apply to the portion of the property lying within fifty (50) feet of the Harbor Drive property line. All other property included within the exception area described in Section 103.0905(c), is exempt from the regulations of Municipal Code Section 103.0907.
 - (2) Enclosure requirements shall not apply to equipment and installations which are integral parts of the manufacturing or industrial process on the premises.
 - (3) Merchandise, material or equipment may be stored at a height greater than the wall or fence which screens it from Harbor Drive as allowed in Section 103.0905(c)(1) above, provided the merchandise, material, or equipment is located at least fifty (50) feet from the Harbor Drive property line.
 - (4) Except for office buildings, the height of structures may exceed the maximum building height of thirty- five (35) feet or two (2) stories established in Section 103.0959 (Figure 3) of this Division. However, this exception shall apply only to structures which are an integral part of the exclusive use and directly related to the existing industrial operations on the property.
 - (5) Should a property span two (2) or more Barrio Logan Subdistricts or span the Barrio Logan Planned District and the Centre City Planned District, that property shall be subject to consistent regulations to be determined by the Hearing Officer at the time of review.

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- (6) In granting any exception, the Hearing Officer shall make the following findings:
 - (A) The proposed exception shall not result in any substantial reduction of public views toward San Diego Bay or Centre City.
 - (B) The proposed exception is consistent with the goals, objectives and intent of the Barrio Logan Redevelopment Plan and the "Redevelopment Subdistrict" of the Barrio Logan Planned District.

(Amended 4-7-1998 by O-18477 N.S.; effective 1-1-2000.)

§103.0906 Permit Application, Review and Issuance

(a) Barrio Logan Planned District Permit

A Barrio Logan Planned District Permit (Process Three) is required for all proposed development within the "Redevelopment Subdistrict" of the Barrio Logan Planned District. Additions to existing developments within the Redevelopment Subdistrict which meet all development regulations and do not exceed twenty percent (20%) of the existing floor area shall be reviewed as a Process One. All proposed development outside the redevelopment subdistrict which meets the relevant development regulations shall be reviewed as a Process One. The City Manager may conduct further review and approve or deny an application for an exception from the provisions of the Barrio Logan Planned District in accordance with Process Two, when the application is for limited relief in the case of new construction or remodeling which would result in a finished product (all structures on the premises) deviating twenty percent (20%) or less from applicable development regulation pertaining to: required yards or setbacks, coverage, or special character design criteria included in Section 103.0939(g). However, the City Manager shall require additional landscaping that may be feasibly placed on the site or parkway according to City- wide landscape standards, and/or other architectural features or improvements.

The City Manager shall in no case provide Administrative Review or approve an application for an exception from floor area ratio, height, density, amount of parking, or use.

The decision of the City Manager shall be based upon substantial conformance with the regulations and the Purpose and Intent of the Barrio Logan Planned

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District. The granting of a deviation shall be for the purpose of providing design flexibility resulting in a project which benefits surrounding properties and the community.

The City Manager's decision may be appealed to a Hearing Officer in accordance with Land Development Code Section 112.0504. Prior to the filing of the application, the applicant shall pay to the City a deposit equal to the estimated cost of processing the application. The deposit shall be adjusted periodically by the City Manager to ensure full cost recovery. A current list of all deposits is kept in the office of the City Clerk.

- (b) The permit application shall be filed in accordance with Land Development Code Section 112.0102. An application for a Barrio Logan Planned District Permit may be approved, conditionally approved or denied by a Hearing Officer, in accordance with Process Three. The Hearing Officer's decision may be appealed to the Board of Zoning Appeals in accordance with Section 112.0506.

- (c) Coastal Development Permit

A Coastal Development Permit is required for all proposed development within the Barrio Logan Planned District except for development specifically exempted under Land Development Code Section 126.0704 or categorically excluded under order granted by the California Coastal Commission under Coastal Act section

- (d) No permit shall be issued for the installation of fixtures or equipment, or for the erection, construction, conversion, establishment, alteration, rehabilitation, demolition, move on, addition or enlargement of any building, structure or improvement, or for the occupancy of any building, structure or premises, or for the grading, subdivision or street closure, nor shall any site be used in any portion of the Barrio Logan Planned District until the application has been approved pursuant to Section 103.0906(a) and (b). Each applicant shall state the purpose for which the proposed building, structure or improvement is intended to be used. Applications for grading permits and demolition of structures shall not be accepted unless application is made concurrently for a building permit.
- (e) The City Manager shall review projects which affect historic sites designated pursuant to all applicable Municipal Code sections. All applications for the demolition or removal of any building shall be submitted to the City Manager for review. The City Manager may approve, in accordance with Process One,

an application for a demolition permit if it is determined that the site in question is not a potential historic site. The City Manager shall make that determination within ten (10) working days of the receipt of the application. If the City Manager does not make the determination within the specified period, the site shall be deemed not to be a potential historic structure. If the site is a potential historic structure, the demolition or removal permit application may be approved, conditionally approved or denied by the Planning Commission, in accordance with Process Four. The application shall not be approved for ninety (90) calendar days or until the Historical Resources Board has evaluated and acted on the site's historical significance, whichever occurs first. The provisions of Section 103.0906(e) do not apply to the following:

- (1) Any building or structure found by the Building Official of the City of San Diego to present a hazard to public health or safety and for which an emergency permit for demolition must be issued; or
 - (2) Any permit approved as part of a development project submitted, reviewed and approved in accordance with this Division, and provided that the development application includes an environmental document prepared in accordance with the California Environmental Quality Act which describes and addresses the historic/architectural significance of the property. The environmental document shall be reviewed by the Historical Resources Board for the purpose of recommending to the City Manager whether the proposed project should be approved, modified or denied based on the importance of the existing building(s) or structure(s).
- (f) If any structure or building is intentionally demolished or substantially damaged without obtaining a demolition permit, a building permit for that site will not be issued for a period of one year, or a previously issued permit may be revoked for a period of one year from the date the City is made aware of the demolition. If the demolished or damaged structure was a designated historic site, a building permit will not be issued for two years, or a previously issued building permit may be revoked for a period of two (2) years from the date the City is made aware of the demolition.
- (g) On behalf of the Redevelopment Agency of The City of San Diego, the City Manager or designee shall review all development proposals located within the "Redevelopment Subdistrict" of the Barrio Logan Planned District, and make recommendations to the Hearing Officer.
- (d) Any nonresidential use permitted in the IH-2-1 zone (except establishments

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engaged in the chrome plating of materials) as set forth in Land Development Code Section 131.0622.

- (e) Parking lots and facilities; provided, however, that except for covered parking facilities which are located completely below grade such parking lots and facilities shall be accessory to a use permitted in this Section which shall be located on the same premises.
- (f) Any uses which the Planning Commission determines, in accordance with "Process Four", to be similar in character to the uses enumerated in this Section and are clearly within the intent and purpose of this Subdistrict.

The adopted resolution embodying any such finding shall be filed in the office of the City Clerk.

- (g) Accessory uses for any of the foregoing permitted uses including on-premises signs constructed, fabricated, erected, installed, attached, fastened, placed, positioned, operated and abated in accordance with Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations).

(Amended 12-9-2002 by Emergency Ordinance O-19133 N.S.)

§103.0927 Subdistrict "B" - Special Regulations

- (a) All uses except off-street parking, outdoor dining facilities, signs and the storage and display of those items listed in Sec. 103.0907(a), (Outdoor display, Operation and Storage) shall be operated entirely within enclosed buildings or walls or fences as required in Sec. 103.0907.
- (b) Artificial lighting used to illuminate the premises shall be directed away from adjacent properties.
- (c) No mechanical equipment, tank, duct, elevator enclosure, cooling tower, or mechanical ventilator shall be erected, constructed, maintained or altered anywhere on the roof or upper outside walls of buildings on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearances similar to the main building.
(Retitled and amended 9-13-1993 by O-17973 N.S.)

§103.0928 Subdistrict "B" - Density Regulations

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No lot or parcel shall be developed or occupied by more than one dwelling unit for each 1,500 square feet of lot area, except that any currently developed lot may be redeveloped to the density which existed on the effective date of this ordinance.

(Retitled and amended 9-13-1993 by O-17973 N.S.)

§103.0929 Subdistrict “B” - Property Development Regulations

No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged, or used nor shall any premises be used unless the lot or premises and building shall comply with the following regulations and standards.

(a) Minimum Lot Requirements.

- (1) Area - 3,500 square feet.
- (2) Street frontage - 25 feet.
- (3) Width - 25 feet.
- (4) Depth - 100 feet.
- (5) Exception. Any lot which qualifies under the definition of a lot as set forth in Land Development Code Section 113.0103 and Section 113.0237, and which does not comply in all respects with the minimum lot requirements specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to this Section.

(b) Minimum Yards.

- (1) Front-five feet for not less than 50 percent of lot frontage.
- (2) Side.
 - (A) Interior - zero except that a three foot side yard shall be provided if any portion of the side lot line abuts residentially zoned or residentially used property. Such side yard shall be increased three feet for each story above two.
 - (B) Street - five feet for not less than 50 percent of lot frontage.
- (6) Schools, public and private, except for trade schools instructing in subjects incidental to a permitted use.

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- (7) Trailer parks.
- (8) Establishments engaged in the chrome plating of materials.
- (b) On-premises signs are permitted if constructed, fabricated, erected, installed, attached, fastened, placed, positioned, operated, and abated in accordance with Land Development Code Chapter 12, Article 9, Division 8 (Sign Permit Procedures) and Chapter 14, Article 2, Division 12 (Sign Regulations).
(Amended 12-9-2002 by Emergency Ordinance O-19133 N.S.)

§103.0947 Subdistrict “D” - Special Regulations

- (a) All uses except off-street parking, outdoor dining facilities, signs and the storage and display of those items listed in Sec. 103.0907, Paragraph (b) (Outdoor Display, Operation and Storage) shall be operated entirely within enclosed buildings or walls or fences as required in Sec. 103.0907.
- (b) Artificial lighting used to illuminate the premises shall be directed away from adjacent properties.
- (c) No mechanical equipment, tank duct, elevator enclosure, cooling tower or mechanical ventilator shall be erected, constructed, maintained or altered anywhere on the roof or upper outside walls of buildings on the premises unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearances similar to the main building.
(Retitled and amended 9-13-1993 by O-17973 N.S.)

§103.0948 Subdistrict “D” - Property Development Regulations

No building or portion thereof shall be erected, constructed, converted, established, altered or enlarged, nor shall any lot be used unless the lot or premises and building comply with the following regulations and standards:

- (a) Minimum Lot Requirements.
 - (1) Area - 7,000 Square feet.
 - (2) Street frontage - 50 feet.
 - (3) Width - 50 feet.

- (4) Depth - 100 feet.
 - (5) Exception. Any lot which qualifies under the definition of a lot as set forth in Land Development Code Section 113.0103 and Section 113.0237 and which does not comply in all respects with the minimum lot requirements specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to this zone.
- (b) Minimum Yards.
 - (1) Front - 10 feet.
 - (2) Side - 5 feet.
 - (3) Exception. The front and street side yard requirements shall not apply to lot or premises where required walls or fences, in compliance with Sec. 103.0907(d), are not required to observe minimum yards.
- (c) Maximum Floor Area Ratio.

The maximum floor area ratio shall be two.
- (d) Building Height.

Maximum building height shall be 35 feet.
- (e) Maximum Driveway Width. Driveway width and spacing shall be in conformance with Land Development Code Section 142.0560.